

Staff Report Z-84-22-7 February 1, 2023

Maryvale <u>Village Planning Committee</u> Meeting Date:	February 8, 2023
Planning Commission Hearing Date:	March 2, 2023
Request From:	<u>C-2</u> <u>HGT/WVR</u> (Intermediate Commercial, Height Waiver) (10.48 acres)
Request To:	<u>C-2 HGT/WVR DNS/WVR</u> (Intermediate Commercial, Height Waiver, Density Waiver) (10.48 acres)
Proposed Use:	Multifamily residential
Location:	Approximately 315 feet south of the southeast corner of 83rd Avenue and McDowell Road
Owner:	Residence at McDowell, LLC
Applicant/Representative:	Jason Morris, Withey Morris, PLC
Staff Recommendation:	Approval, subject to stipulations

General Plan Conformity				
General Plan Land Use Map Designation		Commercial		
Street Map Classification	83rd Avenue	Arterial	33-foot east half street	
	McDowell Road	Arterial	65-foot south half street	

CELEBRATE OUR DIVERSE COMMUNITY AND NEIGHBORHOODS CORE VALUE; DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Include a mix of housing types and densities where appropriate within each village that support a broad range of lifestyles.

The requested C-2 HGT/WVR DNS/WVR zoning district will allow for multifamily uses and support a new housing type on a site that is appropriately located along two existing arterials and in close proximity to a future light rail station.

CONNECT PEOPLE AND PLACES CORE VALUES; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

The requested C-2 HGT/WVR DNS/WVR zoning district will allow for the conversion of a hotel to a multifamily residential development that is compatible with the surrounding area and respectful of local conditions. The request will allow for the multifamily development without changing the existing layout of the subject site. Thus, maintaining the character of the area and allowing a compatible land use to remain on the site.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

As stipulated, the proposal will shade the sidewalk on McDowell Road and 83rd Avenue, provide shading where uncovered parking is located, and provide additional shading within the surface parking lots. This will help to provide shade for pedestrians in and around the community and to mitigate the urban heat island effect by covering hard surfaces, thus cooling the micro-climate around the vicinity.

Applicable Plans, Overlays, and Initiatives

Housing Phoenix Plan: Background Item No. 5.

Tree and Shade Master Plan: Background Item No. 6.

Monarch Butterfly Pledge: Background Item No. 7.

Comprehensive Bicycle Master Plan: Background Item No. 8.

Complete Streets Guidelines: Background Item No. 9.

Zero Waste PHX: Background Item No. 10.

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Surrounding Land Uses and Zoning			
	Land Use	<u>Zoning</u>	
On Site	Hotel	C-2 HGT/WVR	
North	Fuel station	C-2	
North (across McDowell Road)	Carwash, vacant land	PSC	
South (across I-10)	Vacant land	PUD	
East	Multifamily condominiums	R-3	
West (across 83rd Avenue)	Vacant land, restaurant, hotel	City of Tolleson C-2	

C-2 HGT/WVR DNS/WVR (R-5 Development Standards – Planned Residential Development Option)				
<u>Standards</u>	R-5 Requirements	Proposed Site Plan		
Gross Acreage	-	10.48		
Maximum Density (dwelling units	45.68; 52.20 with	24.81 (Met)		
per acre)	bonus			
Maximum Units	478, 547 with bonus	260 units (Met)		
Maximum Lot Coverage	50 percent	20 percent (Met)		
Maximum Building Height	4-story or 48 feet	2-story, 28 feet (Met)		
Minimum Building Setbacks				
Adjacent to Streets:	20 feet	70 feet, 5 inches (Met)		
(North – Adjacent to McDowell)				
Not Adjacent to Streets:	10 feet	3 – 10 feet (Not Met)		
(Northwest – Adjacent to the C-2				
zoning)				
Adjacent to Streets:	20 feet	10 feet (Not Met)*		
(South – Adjacent to I-10)				
Not Adjacent to Streets: (East – Adjacent to R-3)	10 feet	5 – 15 feet (Not Met)*		
Adjacent to Streets:	20 feet	5 – 10 feet (Not Met)*		
(West – Adjacent to 83rd Avenue)				
Minimum Landscape Standards				
Adjacent to Streets:	20 feet	25 feet (Met)		
(North – Adjacent to McDowell)				
Not Adjacent to Streets:	5 feet	5 – 25 feet (Met)		
(Northwest – Adjacent to the C-2				
zoning)				
Adjacent to Streets:	20 feet	5 – 26 feet (Not Met)*		

(South – Adjacent to I-10)			
C-2 HGT/WVR DNS/WVR (R-5 Development Standards – Planned Residential Development)			
<u>Standards</u>	R-5 Requirements	Proposed Site Plan	
Not Adjacent to Streets: (East – Adjacent to R-3)	5 feet	5 – 15 feet (Met)	
Adjacent to Streets: (West – Adjacent to 83rd Avenue)	20 feet	5 – 10 feet (Not Met)*	
Minimum Open Space	5 percent	13.5 percent (Met)	
Minimum Amenities	2	Not Specified	
Minimum Parking	380 required	325 spaced (Not Met)*	
Resident: 1.5 spaces per 1 or 2-bedroom unit; 2.0 spaces per 3 or more-bedroom unit			

*Variance or site plan modification required

Background/Issues/Analysis

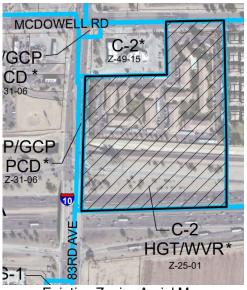
SUBJECT SITE

 This request is to rezone 10.48 acres located approximately 315 feet south of the southeast corner of 83rd Avenue and McDowell Road from C-2 HGT/WVR (Intermediate Commercial, Height Waiver) to C-2 HGT/WVR DNS/WVR (Intermediate Commercial, Height Waiver, Density Waiver) to allow multifamily residential. The subject site is currently an extended stay hotel. The proposed development will convert the existing hotel into a multifamily development.

SURROUNDING LAND USES AND ZONING

 The requested C-2 HGT/WVR DNS/WVR (Intermediate Commercial, Height Waiver, Density Waiver) will support a new housing type by converting an existing hotel to multifamily residences. The proposed development is located along two existing arterials and within close proximity to the Maryvale Village Core. The property directly to the north is

Ine property directly to the north is zoned C-2 (Intermediate Commercial) and is developed with a fuel station. Across McDowell Road the zoning is PSC (Planned Shopping Center).



Existing Zoning Aerial Map Source: Planning and Development Depatment

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This area consists of mostly vacant land is developed with a carwash at the hard corner. The area to the south, across the Interstate 10, is undeveloped property zoned PUD (Planned Unit Development). The area to the east is zoned R-3 (Multifamily Residence District) and is developed with a multifamily condominium community. Furthermore, the City of Tolleson is located to the west, across 83rd Avenue, consists of vacant land and numerous commercial uses zoned C-2 (General Commercial).

GENERAL PLAN LAND USE MAP DESIGNATION

3. The subject site, as well as the surrounding area to the north is designated Commercial on the General Plan Land Use Map. To the east, the designation is Residential 15+ dwelling units per acre. To the west, within the City of Tolleson, the designation is El Paseo (Corridor) in the Tolleson General Plan 2024 Land Use Map. South of the subject site, the designation is Transportation along the Interstate 10. South of Interstate 10 is designated Mixed Use (Commercial / Industrial). The requested C-2 HGT/WVR DNS/WVR zoning is consistent with the General Plan Land Use Map designation of Commercial.



General Plan Land Use Map Source: City of Phoenix Planning and Development Department

PROPOSAL

4. Site Plan

Per the narrative submitted by the applicant, the site will convert the existing hotel to a multifamily development with 260 dwelling units through numerous two-story buildings. Three hundred and eighty parking spaces are proposed throughout the site, both uncovered and covered. As a result, staff is recommending uncovered parking to be shaded a minimum of 10 percent at maturity utilizing two-inch caliper trees (Stipulation No. 4). The conceptual site plan also depicts several grassy open space areas and a pool area for the proposed multifamily development.

There are existing landscape areas along both 83rd Avenue and McDowell Road. However, to screen adjacent roadways from the residential buildings, staff recommends that the landscape setbacks along 83rd Avenue and McDowell Staff Report: Z-84-22-7 February 1, 2023 Page 6 of 11

Road be landscaped with minimum 25 percent two-inch, minimum 25 percent three-inch, and minimum 25 percent four-inch caliper trees. Furthermore, where possible, existing trees shall be used to meet this requirement. This is addressed in Stipulation No. 2.

Staff does not recommend general conformance to the proposed site plan provided as variances will be required to meet current R-5 development standards. Variances undergo the Zoning Adjustment hearing process following the rezoning process. While no building additions or significant site improvements are proposed on the subject site, in the event there is an increase in the cumulative floor area of the site by more than 15 percent, staff recommends the following site improvements apply:

- Stipulation No. 1 requires building elevations to contain multiple colors, textural changes, accent materials, or other architectural treatment.
- Stipulation No. 7 requires a detached sidewalk along McDowell Road and to be shaded utilizing two-inch caliper trees.

STUDIES AND POLICIES

5. Housing Phoenix Plan

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing.

The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety housing types that will address the supply shortage at a more rapid pace while using underutilized land in a more sustainable fashion.

6. Tree and Shade Master Plan

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. By investing in trees and the urban forest, the city can reduce its carbon footprint, decrease energy costs, reduce storm water runoff, increase biodiversity, address the urban heat island effect, clean the air, and increase property values. In addition, trees can help create walkable streets and vibrant pedestrian places. Staff recommends the preservation of existing trees (where possible) and planting of two-inch, three-inch, and four-inch caliper trees, which will help shade the adjacent sidewalks. This is addressed in Stipulation No. 2. Furthermore, staff recommends Stipulation No. 4 which would require uncovered surface parking lot areas to be landscaped with minimum two-inch

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caliper drought-tolerant shade trees to achieve a minimum of 10 percent shade.

7. Monarch Butterfly

In April 2021, Mayor Kate Gallego signed the <u>National Wildlife Federation's</u> <u>Mayor's Monarch Pledge</u>. This pledge commits the city to take action to support the monarch butterfly population. In the United States, loss of milkweed habitat is a major factor in the decline of the monarchs. Arizona has at least 29 species of milkweed native to the state. Adult monarchs feed on the nectar of many flowers, but they breed only where milkweeds are found. To support the monarch butterfly population, Stipulation No. 3 requires the planting of milkweed shrubs, or other native nectar plant species in areas where shrubs will be replenished on the subject site.

8. Comprehensive Bicycle Master Plan

The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its bikeway system and supportive infrastructure. The Comprehensive Bicycle Master Plan supports options for both short- and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. As stipulated, the development will provide 10 bicycle parking spaces per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance and a bicycle repair station. This is addressed in Stipulation No. 6.

9. Complete Streets Guidelines

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. To provide a safe pedestrian environment staff is recommending enhanced pavement treatment for the on-site pedestrian walkways that cross vehicular drive aisles. This is addressed in Stipulation No. 5. Furthermore, bicycle parking will be required on the site to encourage alternative transportation. This is addressed in Stipulation No. 6. In addition, any street improvements shall be done to City of Phoenix and ADA standards. This is addressed in Stipulations No. 8. Lastly, to require a safer pedestrian condition, staff recommends Stipulation No. 7 which requires the construction of a detached sidewalk along McDowell Road if the site is redeveloped in the future.

10. Zero Waste PHX:

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the City's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial, and mixed-use developments meeting certain criteria. The applicant's materials did not indicate whether

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recycling containers are existing on the site.

COMMUNITY INPUT SUMMARY

11. As of the writing of this report, staff has not received any correspondence from the public.

INTERDEPARTMENTAL COMMENTS

- 12. The Fire Department indicated there are no problems anticipated with the case and that the site and/or buildings shall comply with the International Fire Code with Phoenix Amendments. Further, the Department commented that they do not know the water supply at this site and noted that fire flow requirements may present a challenge for this site.
- 13. The Street Transportation Department has indicated that the developer will be required to construct a detached sidewalk along McDowell Road if the use is expanded in the future and that all street improvements must meet ADA standards. These requirements are addressed in Stipulation Nos. 7 and 8.

OTHER

- 14. The site is located in an area identified as being archaeologically sensitive. If no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation Nos. 9, 10, and 11.
- 15. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to preliminary site plan approval. This is addressed in Stipulation No. 12.
- 16. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements such as obtaining a use permit to conduct the proposed outdoor use in this zoning district. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

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Findings

- 1. As stipulated, the proposal will provide increased shade and help reduce the urban heat island effect.
- 2. The proposal will redevelop an underutilized property and provide a high-quality multifamily residential development which is consistent with the surrounding land uses.
- 3. The proposal will allow for additional housing opportunities in the Village and will help alleviate the housing crisis.

Stipulations

- 1. Upon complete redevelopment or development that increases the cumulative floor area by more than 15% from that depicted on the site plan date stamped October 27, 2022, building elevations shall contain multiple colors, exterior accent materials, and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete, or stucco, to provide a decorative aesthetic treatment, as approved by the Planning and Development Department.
- 2. The landscape setback along McDowell Road and 83rd Avenue shall be planted with a minimum 50% 2-inch caliper trees, minimum 25% 3-inch caliper trees, and minimum 25% 4-inch caliper trees, as approved by the Planning and Development Department. Where possible, the developer shall use existing trees and landscaping to meet the landscaping requirements.
- 3. Where landscape areas will be replenished, a minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
- 4. All uncovered surface parking lot areas shall be landscaped with minimum 2inch caliper drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 10 percent shade at maturity, as approved by Planning and Development Department.
- 5. Where pedestrian walkways cross drive aisles, the pathway shall be constructed with decorative pavers, stamped or colored concrete, or another treatment material, other than those used to pave parking surfaces and drive aisles, as approved by the Planning and Development Department.
- 6. Bicycle infrastructure shall be provided as described below and as approved by the Planning and Development Department.

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- a. A minimum of 10 bicycle parking spaces shall be provided through Inverted U and/or artistic racks, or in a secure room and located throughout the site including near the centralized open space and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- b. One bicycle repair station ("fix it station") shall be provided and maintained on site within an amenity area or near a primary site entrance. The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
- 7. Upon complete redevelopment or development that increases the cumulative floor area by more than 15% from the depicted on the site plan date stamped October 27, 2022, a minimum 6-foot-wide sidewalk shall be provided along the south side of McDowell Road and be detached with a minimum 10-foot-wide landscaped strip located between the back of the sidewalk and back of curb, as approved by the Planning and Development Department. The landscape strip will be planted with minimum 2-inch caliper trees planted 20 feet on center or in equivalent groupings with five 5-gallon shrubs per tree. Where utility conflict exists, the developer shall work with the Planning and Development Department.
- 8. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
- 9. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
- 10. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
- 11. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the

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Archaeology Office to properly assess the materials.

12. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

<u>Writer</u>

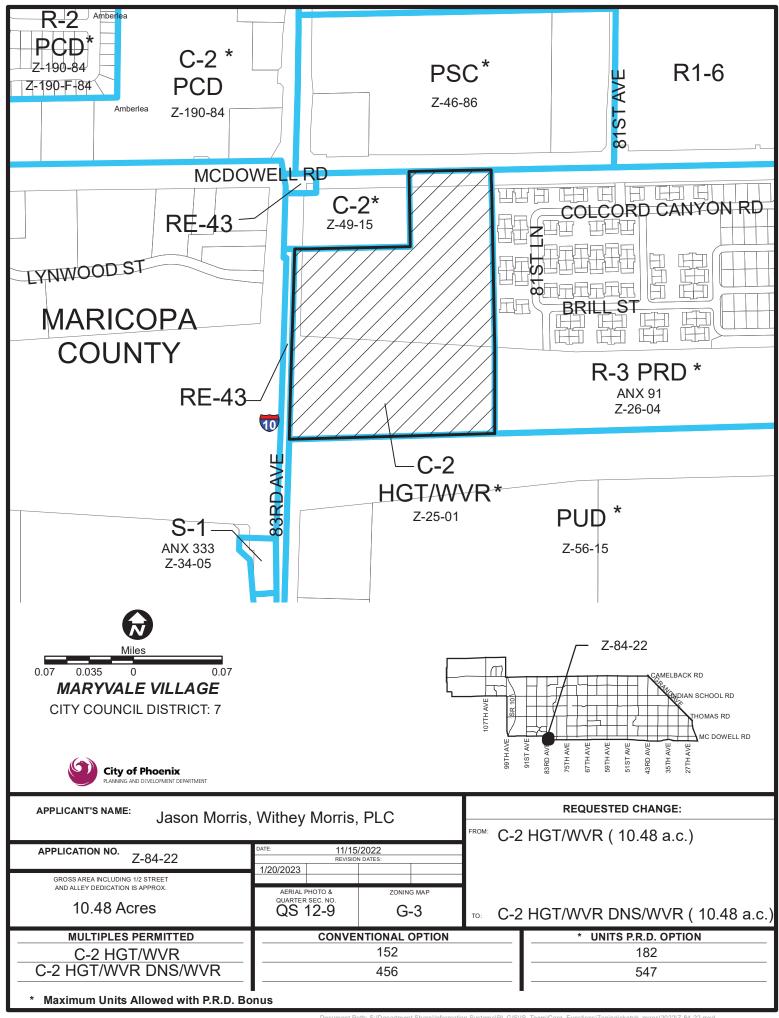
Nayeli Sanchez Luna February 1, 2023

Team Leader

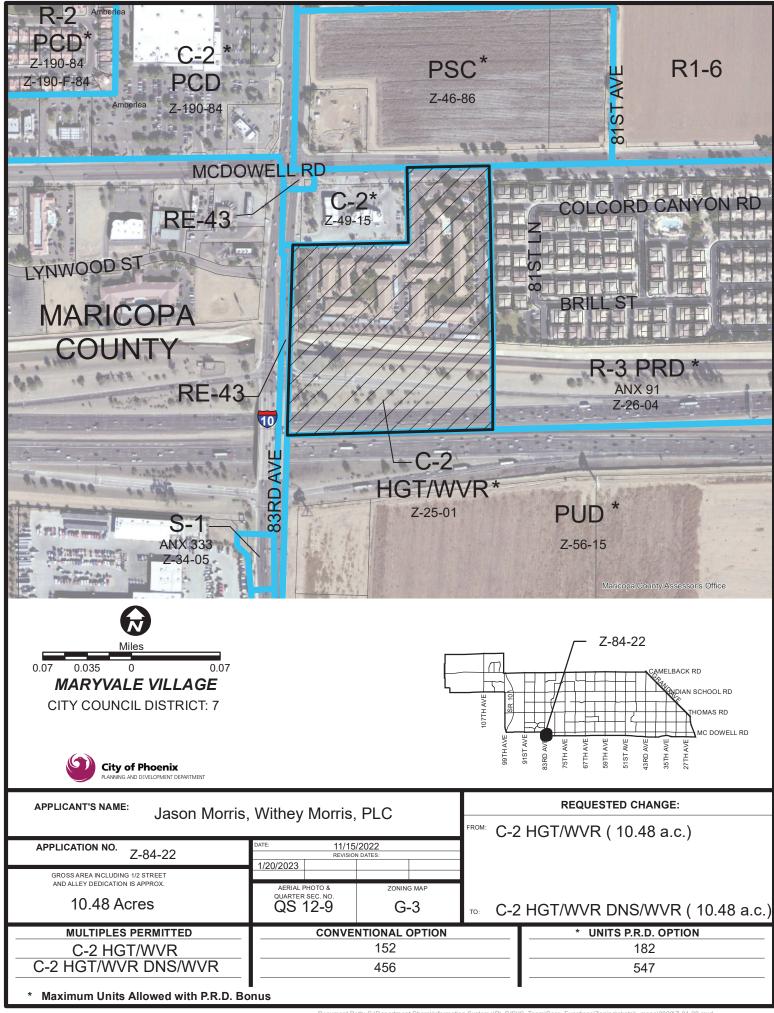
Racelle Escolar

Exhibits

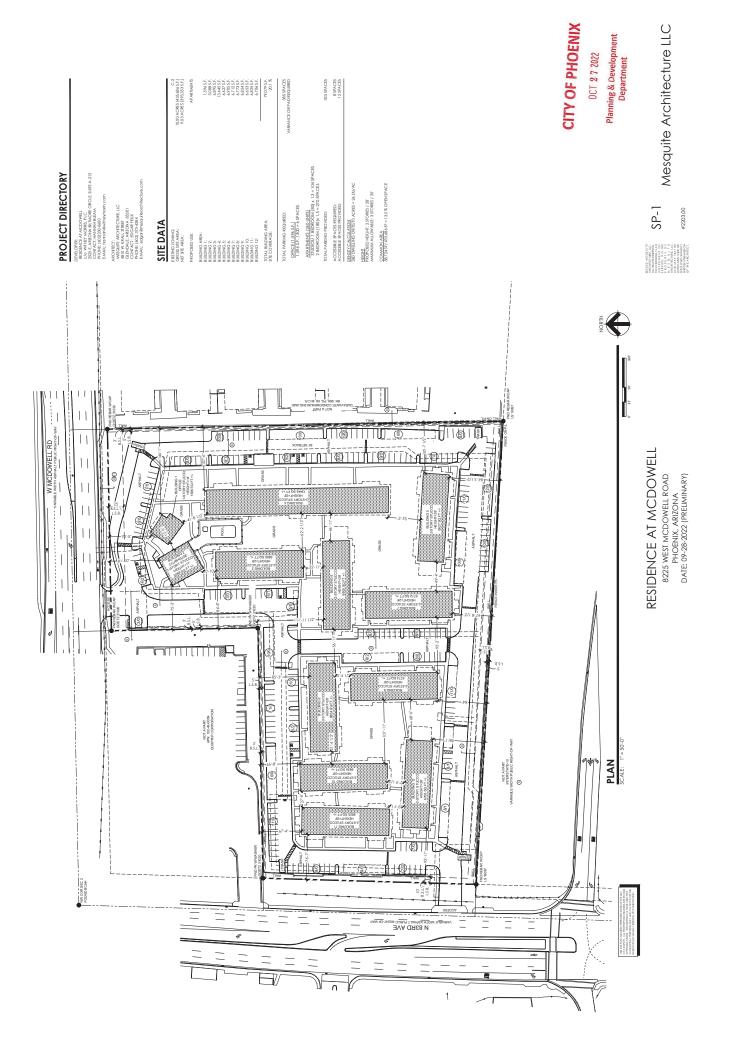
Zoning sketch map Aerial sketch map Site Plan date stamped October 27, 2022 Elevations date stamped October 27, 2022

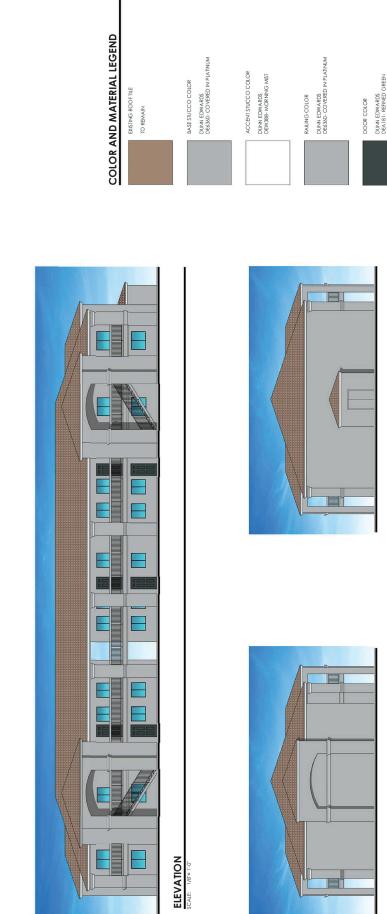


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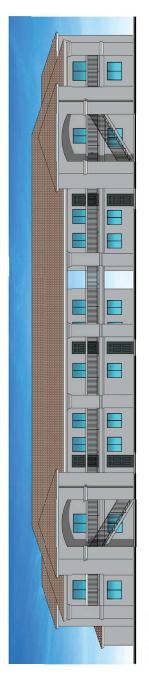
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ELEVATION SCALE: 1/8°= 1.40°

ELEVATION SCALE: 1/8"= 11-0"



CITY OF PHOENIX

Planning & Development Department

Architecture LLC

Mesquite

EL-1 #2203.00

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ELEVATION SCALE: 1/8"= 1-0"

RESIDENCE AT MCDOWELL 8225 WEST MCDOWELL ROAD PHOENIX, ARIZONA DATE: 10-22-2022 (PRELIMINARY)